

Certificate of Notice Page 1 of 3
United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
Benjamin N. Brown, Sr.
Debtor

Case No. 17-11430-mdc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: Linda
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 30, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 01, 2018.

db +Benjamin N. Brown, Sr., 5736 Haddington Lane, Philadelphia, PA 19131-3416

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 01, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 30, 2018 at the address(es) listed below:

BRIAN CRAIG NICHOLAS on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
DAVID M. OFFEN on behalf of Debtor Benjamin N. Brown, Sr. dmo160west@gmail.com, davidoffenecf@gmail.com
LEON P. HALLER on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY) lhaller@pkh.com, dmaurer@pkh.com;mgutshall@pkh.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov
WILLIAM C. MILLER, Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 5

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13
Benjamin N. Brown, Sr., :
Debtor. : Bankruptcy No. 17-11430-MDC

ORDER

AND NOW, David M. Offen (the “Applicant”) filed with the court an Application for Compensation and Reimbursement of Expenses dated December 1, 2017 (the “Application”).¹

AND, Benjamin N. Brown, Sr. (the “Debtor”) filed a Chapter 13 plan (“Plan”) which was confirmed on October 26, 2017.²

AND, this case involves the representation of a below-median debtor, *see generally* 11 U.S.C. §1325(b) (establishing different standards for measuring plan confirmability depending upon whether the debtor’s income is above median or below median); Official Form 22C (requiring less financial disclosure from below median debtors).

AND, the Applicant requests compensation in an amount that exceeds the amount that this Court was authorized to allow in chapter 13 cases involving below-median debtors pursuant to the L.B.R. 2016-2(a)(1) in effect at the time the Debtor’s Plan was confirmed.

AND, L.B.R. 2016-3 requires an application for compensation must include, among other things, a chronological description of each service performed, the time expended for each service and a list by type of the expenses for which reimbursement is sought. L.B.R. 2016-3(a)(1) & (2).

AND, the Applicant’s decision to file his Application subsequent to the amendment of the Local Bankruptcy Rules on December 1, 2017, raising the amount that the Court is authorized to allow in

¹ Bankr. Docket No. 37.

² Bankr. Docket No. 35.

chapter 13 cases involving below-median debtors, despite the confirmation of the plan months prior to the Rules amendment, raises serious concerns for the Court.

It is hereby **ORDERED** that a hearing shall be held on **April 12, 2018, at 11:30 a.m., in Bankruptcy Courtroom No. 2, Robert N.C. Nix Federal Building & Courthouse, 900 Market Street, 2nd Floor, Philadelphia, Pennsylvania** to determine whether the Applicant's request for compensation is governed by the Local Bankruptcy Rules in place at the time of the filing of the case.

Dated: March 29, 2018



MAGDELINE D. COLEMAN
UNITED STATES BANKRUPTCY JUDGE

David M. Offen, Esquire
The Curtis Center
601 Walnut Street, Suite 160 West
Philadelphia, PA 19106

Jacqueline M. Chandler, Esquire
Office of the Chapter 13 Trustee
P.O. Box 40119
Philadelphia, PA 19106

William C. Miller, Esquire
Chapter 13 Trustee
1234 Market Street, Suite 1813
Philadelphia, PA 19107

United States Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107